

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

RANDY JOE NASS, individually and
as next friend of MADISON NASS, a
minor and MASON NASS, a minor,
and as Administrator of the Estate of
ELIZABETH MABRY NASS, deceased,

Plaintiffs,

FRANK MORTON LANGDON, III,
and NATIONWIDE MUTUAL FIRE
INSURANCE COMPANY,

Defendants.

CASE NO. 1:06CV238WKW

MOTION TO AMEND

COMES NOW the Defendant, FRANK MORTON LANGDON, III, and herewith moves this Court to allow him to amend his Answer. The Amended Answer has been filed simultaneously herewith. As grounds therefore, this Defendant would show unto the Court that this motion is timely made and the Amended Answer asserts meritorious defenses. This Defendant request that should the Court grant this motion that said Amended Answer be deemed properly filed without further action by Defendant.

/s/ R. Rainer Cotter, III
R. RAINER COTTER, III (ASB-4925-E49R)
Attorney for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing on John A. Henig, Jr., Esq., P.O. Box 347, Montgomery, Alabama 36101-0347, and Randall Morgan, P.O. Box 116, Montgomery, Alabama 36101-0116, by placing said copy in the U.S. Mail, postage prepaid and properly addressed this 18th day of July, 2006.

/s/ R. Rainer Cotter, III

OF COUNSEL